

| | | |
|-------------|-------------|------------|
| Weldon (FL) | Wicker | Wu |
| Weldon (PA) | Wilson (NM) | Wynn |
| Weller | Wilson (SC) | Young (AK) |
| Wexler | Wolf | Young (FL) |
| Whitfield | Woolsey | |

NOT VOTING—10

| | | |
|---------|------------|------------|
| Allen | Ferguson | Smith (MI) |
| Baca | Gephardt | Tiberi |
| Cubin | Kilpatrick | |
| Dingell | Simpson | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there is less than 2 minutes remaining on the clock.

□ 1710

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BACA. Mr. Speaker, on rollcall No. 25, I was detained in the Chamber when the time elapsed on the vote. Had I not been detained and as a veteran, I would have voted "yea."

DO-NOT-CALL IMPLEMENTATION ACT

The SPEAKER pro tempore. The pending business is the question on the passage of the bill, H.R. 395, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 7, not voting 9, as follows:

[Roll No. 26]

YEAS—418

| | | |
|---------------|----------------|-----------------|
| Abercrombie | Brady (TX) | Cummings |
| Ackerman | Brown (OH) | Cunningham |
| Aderholt | Brown (SC) | Davis (AL) |
| Akin | Brown, Corrine | Davis (CA) |
| Alexander | Brown-Waite, | Davis (FL) |
| Andrews | Ginny | Davis (IL) |
| Baca | Burgess | Davis (TN) |
| Bachus | Burns | Davis, Jo Ann |
| Baird | Burr | Davis, Tom |
| Baker | Burton (IN) | Deal (GA) |
| Baldwin | Buyer | DeFazio |
| Ballance | Calvert | DeGette |
| Ballenger | Camp | Delahunt |
| Barrett (SC) | Cannon | DeLauro |
| Bartlett (MD) | Cantor | DeLay |
| Barton (TX) | Capito | DeMint |
| Bass | Capps | Deutsch |
| Beauprez | Capuano | Diaz-Balart, L. |
| Becerra | Cardin | Diaz-Balart, M. |
| Bell | Cardoza | Dicks |
| Bereuter | Carson (IN) | Doggett |
| Berkley | Carson (OK) | Dooley (CA) |
| Berman | Carter | Doolittle |
| Berry | Case | Doyle |
| Biggart | Castle | Dreier |
| Billirakis | Chabot | Duncan |
| Bishop (GA) | Chocola | Dunn |
| Bishop (NY) | Clay | Edwards |
| Blackburn | Clyburn | Ehlers |
| Blumenauer | Coble | Emanuel |
| Blunt | Cole | Emerson |
| Boehlert | Collins | Engel |
| Boehner | Combest | English |
| Bonilla | Conyers | Eshoo |
| Bonner | Cooper | Etheridge |
| Bono | Costello | Evans |
| Boozman | Cox | Everett |
| Boswell | Cramer | Farr |
| Boucher | Crane | Fattah |
| Boyd | Crenshaw | Feeney |
| Bradley (NH) | Crowley | Filner |
| Brady (PA) | Culberson | Fletcher |

| | | |
|----------------|----------------|------------------|
| Foley | Levin | Reynolds |
| Forbes | Lewis (CA) | Rodriguez |
| Ford | Lewis (GA) | Rogers (AL) |
| Fossella | Lewis (KY) | Rogers (KY) |
| Frank (MA) | Linder | Rogers (MI) |
| Franks (AZ) | Lipinski | Rohrabacher |
| Frelinghuysen | LoBiondo | Ros-Lehtinen |
| Frost | Lofgren | Ross |
| Gallegly | Lowey | Rothman |
| Garrett (NJ) | Lucas (KY) | Roybal-Allard |
| Gerlach | Lucas (OK) | Royce |
| Gibbons | Lynch | Ruppersberger |
| Gilchrest | Majette | Rush |
| Gillmor | Maloney | Ryan (WI) |
| Gingrey | Manzullo | Ryun (KS) |
| Gonzalez | Markley | Sabo |
| Goode | Marshall | Sanchez, Linda |
| Goodlatte | Matheson | T. |
| Gordon | Matsui | Sanchez, Loretta |
| Goss | McCarthy (MO) | Sanders |
| Granger | McCarthy (NY) | Sandlin |
| Graves | McCollum | Saxton |
| Green (TX) | McCotter | Schakowsky |
| Green (WI) | McCrery | Schiff |
| Greenwood | McDermott | Schrock |
| Grijalva | McGovern | Scott (GA) |
| Gutierrez | McHugh | Scott (VA) |
| Gutknecht | McInnis | Sensenbrenner |
| Hall | McIntyre | Serrano |
| Harman | McKeon | Sessions |
| Harris | McNulty | Shadegg |
| Hart | Meehan | Shaw |
| Hastings (FL) | Meek (FL) | Shays |
| Hastings (WA) | Meeks (NY) | Sherman |
| Hayes | Menendez | Sherwood |
| Hayworth | Mica | Shimkus |
| Hefley | Michaud | Shuster |
| Hensarling | Millender- | Simmons |
| Herger | McDonald | Skelton |
| Hill | Miller (FL) | Slaughter |
| Hinchey | Miller (MI) | Smith (MI) |
| Hinojosa | Miller (NC) | Smith (NJ) |
| Hobson | Miller, Gary | Smith (TX) |
| Hoefel | Miller, George | Smith (WA) |
| Hoekstra | Mollohan | Snyder |
| Holden | Moore | Solis |
| Holt | Moran (KS) | Souder |
| Honda | Moran (VA) | Spratt |
| Hooley (OR) | Murphy | Stark |
| Hostettler | Murtha | Stearns |
| Houghton | Musgrave | Stenholm |
| Hoyer | Myrick | Stupak |
| Hulshof | Nadler | Sullivan |
| Hunter | Napolitano | Sweeney |
| Hyde | Neal (MA) | Tanner |
| Inslee | Nethercutt | Tauscher |
| Isakson | Ney | Tauzin |
| Israel | Northup | Taylor (MS) |
| Issa | Norwood | Taylor (NC) |
| Istook | Nunes | Thomas |
| Jackson (IL) | Nussle | Thompson (CA) |
| Jackson-Lee | Oberstar | Thompson (MS) |
| (TX) | Obey | Thornberry |
| Janklow | Oliver | Tiahrt |
| Jefferson | Ortiz | Tierney |
| Jenkins | Osborne | Toomey |
| John | Ose | Towns |
| Johnson (CT) | Otter | Turner (OH) |
| Johnson (IL) | Owens | Turner (TX) |
| Johnson, E. B. | Oxley | Udall (CO) |
| Johnson, Sam | Pallone | Udall (NM) |
| Jones (NC) | Pascarell | Upton |
| Jones (OH) | Pastor | Van Hollen |
| Kanjorski | Payne | Velazquez |
| Kaptur | Pearce | Visclosky |
| Keller | Pelosi | Vitter |
| Kelly | Pence | Walder (OR) |
| Kennedy (MN) | Peterson (MN) | Walsh |
| Kennedy (RI) | Peterson (PA) | Wamp |
| Kildee | Petri | Waters |
| Kind | Pickering | Watson |
| King (IA) | Pitts | Watt |
| King (NY) | Platts | Waxman |
| Kingston | Pombo | Weiner |
| Kirk | Pomeroy | Weldon (FL) |
| Klecicka | Porter | Weldon (PA) |
| Kline | Portman | Weller |
| Knollenberg | Price (NC) | Wexler |
| Kolbe | Pryce (OH) | Whitfield |
| Kucinich | Putnam | Wicker |
| LaHood | Quinn | Wilson (NM) |
| Lampson | Radanovich | Wilson (SC) |
| Langevin | Rahall | Wolf |
| Lantos | Ramstad | Woolsey |
| Larsen (WA) | Rangel | Wu |
| Latham | Regula | Wynn |
| LaTourette | Rehberg | Young (AK) |
| Leach | Renzi | Young (FL) |
| Lee | Reyes | |

NAYS—7

| | | |
|-------------|------------|-------|
| Bishop (UT) | Ryan (OH) | Terry |
| Flake | Strickland | |
| Paul | Tancredo | |

NOT VOTING—9

| | | |
|---------|------------|-------------|
| Allen | Ferguson | Larson (CT) |
| Cubin | Gephardt | Simpson |
| Dingell | Kilpatrick | Tiberi |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are reminded that 2 minutes are remaining on the vote clock.

□ 1717

Mr. TANCREDO changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 26, on final passage of H.R. 395, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, unfortunately, personal business required me to return to the district this evening before the House considered votes on legislative business for which the "yeas and nays" were ordered. Had I been present, I would have cast my votes as follows: Rollcall No. 24 (H.R. 346), The American Spirit Fraud Prevention Act, "yea"; rollcall No. 25 (H. Res. 62), A resolution recognizing Vietnam prisoners of war, "yea"; and on rollcall No. 26, H.R. 395, The Do-Not-Call Implementation Act, "yea."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4, PERSONAL RESPONSIBILITY, WORK, AND FAMILY PROMOTION ACT OF 2003

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 108-9) on the resolution (H. Res. 69) providing for consideration of the bill (H.R. 4) to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ELECTION OF MEMBER TO COMMITTEE ON EDUCATION AND THE WORKFORCE

Mr. DOOLITTLE. Madam Speaker, I offer a resolution (H. Res. 70) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 70

Resolved, That the following Member be and is hereby elected to the following standing committee of the House of Representatives: Education and the Workforce: Mr. Burns.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute requests.

CONFIRM MIGUEL ESTRADA AS FEDERAL JURIST

(Mr. DRIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, I have taken this time during 1-minute to simply rise in strong support of some very important work that is taking place, and that is the prospect of confirming Miguel Estrada.

I do not personally know this man, but I wanted to say, Madam Speaker, that I have read about his record and I have talked to many people who know him very well; and I happen to believe that he would be a superb jurist. And having spoken with people of both political parties, I have heard very good things about him. And I would simply like for the record to make it clear that I believe that he would be a phenomenally good jurist, and I hope very much that will take place.

APPOINT MIGUEL ESTRADA AS FEDERAL JUDGE

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Madam Speaker, I too join my colleague from California (Mr. DREIER). I do not know personally Mr. Estrada, but I understand he is considered to be quite outstanding by all those who have known him. It is remarkable. It is also my understanding that at the age of 17 he came from Honduras and had very limited English abilities, and then he ended up going to a university and graduating from Harvard Law School magna cum laude and served as an editor of the Harvard Law Review. He was, I understand, an official in the Clinton administration, actually in the Solicitor General's office and has support from former Clinton administration people and has support from, I believe, the past six or seven Solicitors General of the United States. Truly a premiere candidate to serve in this important U.S. Court of Appeals for the D.C. circuit.

I just wanted to register my support for this individual, someone who is very outstanding, a great American, the first Hispanic to be appointed to the court of appeals. It would be outstanding, Madam Speaker, and I appreciate the opportunity to voice my support for him today.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEARCE). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SUPPORTING MIGUEL ESTRADA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, Thomas Jefferson said, "The great object of my fear is the Federal Judiciary. That body, step by step, holding what it gains, is engulfing insidiously the special governments into the jaws of that which feeds them."

And today, Mr. Speaker, the object of my fear is an unrestrained judiciary, a judiciary too quick to abandon the ideals of our forefathers and the tenets of our Constitution, a judiciary swelling with unchecked authority.

The heart of a republic rests on its judiciary, Mr. Speaker, and the confirmation of Miguel Estrada is vital to this Republic. He is a brilliant attorney who has repeatedly upheld and has been upheld repeatedly and will continue to be upheld. He also upholds the virtues of this Nation's sacred Constitution.

Arriving from Honduras at age 18, speaking no English, this man has become the personification of the American dream. And I urge the President to stand strong in his support of Miguel Estrada and to stand strong in his support of making sure that we maintain a judiciary in this country that reads the law for what it is.

For if our judiciary continues on the path that it is, Mr. Speaker, I think perhaps the rest of us can go home. I just call upon the President to be encouraged and to recognize that there are Americans that are very grateful to him for the courage that he shows and for the clarity that he shows in his appointments.

Mr. Speaker, I hope that this appointment and this confirmation can go forward unfettered.

□ 1730

EXPLORING SPACE MORE EFFICIENTLY

The SPEAKER pro tempore (Mr. PEARCE). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, now, some more than 7 days after the fateful return of the Columbia seven, those of us from Texas and around the Nation are quick to understand the headline in a local newspaper that says, Astronauts, the hero next door. For those of us in Texas, these were, in fact, our neighbors, our friends, certainly those who many wor-

shipped with. But today, now more than ever, we recognize that these individuals were willing to give the ultimate sacrifice, and that was their lives, for the betterment of humanity.

Unfortunately, what tragedy causes us to do is to reflect, to understand that what we often take for granted is, in fact, precious and unique. It is unique to send man, woman, humanity into space. It is unique what the United States has been able to do now for almost 40 years.

I want to applaud the NASA employees' commitment that they have as a unified group. I know that they are hurting because of this tragedy.

I have always said over the last 7 days that it is important for us to heal and to be able to acknowledge the pain that the families are feeling, but today was appropriate for the first congressional hearing to be held; and I thank the Members of the other body and the chairman of the House Committee on Science and the ranking member for convening us today to begin the process of reality.

The words that I often say are that we find fault without blame, that we are not afraid to acknowledge mistakes and that we make it better. For example, it is important to note that there is now some interest in an orbital plane, a very good vehicle, but we must be reminded that what the space shuttle meant was not just a transportation vehicle, but it was a floating laboratory where scientists, medical professionals and others were able to engage in science and research that helped to create better lives for all of us, research in diabetes, research in HIV/AIDS, heart disease, cancer, stroke, research in prostate cancer and breast cancer.

So we cannot fail to understand the mission and out of fear or expeditiousness move to another vehicle because we are concerned about this tragedy. Be concerned and get the facts.

We understand that the shuttle cost \$450 million. The fatality rate is about 1 in 57. On the other hand, we realize that there are better ways of enhancing the safety. One of them, of course, is finding the facts and being able to provide the resources for putting the United States at the cutting edge of science. I cannot imagine that because of where we are that we will not listen to the families who issued the statement, "The human space flight must continue." That should be the legacy.

Yet we must not fall away from the fact that in 1994 a commissioned NASA study by Stanford and Carnegie-Mellon said that 15 percent of tiles could cause 85 percent of failure, or of the observations of a NASA engineer in 1997 that said debris striking the tile would cause damage. Let us not run away from facts or the mistakes.

I believe that we have seen a considerable imbalance of funding. I am gratified by the increase that we see coming in the 2004 fiscal year proposal, and I hope the Congress will recognize